

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VIRGINIA JARAMILLO,

Plaintiff,

v.

No. 13-cv-0297 WJ/SMV

**DANIEL McCOMBS,
JOHN and JANE DOES 1–6,
ALISSA KRAISOSKY,
NEW MEXICO BEHAVIORAL HEALTH INST.,**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. On August 21, 2013, the Court dismissed certain claims against Defendant Kraisosky, leaving only the claim for injunctive relief against Defendant in her official capacity. [Doc. 20] at 3. Defendant Kraisosky's answer was due by September 4, 2013. *See* Fed. R. Civ. P. 12(a)(4) (responsive pleading due within 14 days after ruling on motion to dismiss). However, none has been filed. Since the August 21, 2013 order, there has been no activity on the docket. Pursuant to D.N.M.LR-Civ. 41.1, "[a] civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward." Plaintiff has failed to develop her case for over 90 days.

IT IS THEREFORE ORDERED that Plaintiff show cause no later than **Friday, December 20, 2013**, why her claim against Defendant Kraisosky should not be dismissed without prejudice for failure to prosecute under D.N.M.LR-Civ. 41.1.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge